S.B. CIVIL WRIT PETITION NO.5862/2004
Smt. Manju Devi vs. State of Raj. and others.

Date : 19.1.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. P.S. Bhati, for the petitioner.

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Heard learned counsel for the petitioner.

Learned counsel for the petitioner submits that when the petitioner applied for issuance of no-objection certificate from the office of Collector, Nagaur, it was not issued on some flimsy grounds whereas the no-objection certificate has been issued to the respondent no.3. It is also submitted that in case, permission of petrol pump will be granted to the respondent no.3, it will cause serious prejudice to the petitioner. It is also submitted that petitioner's application for allotment of petrol pump is earlier in time and the petitioner has better claim. So far as issuance of no objection is concerned, that can be given by the District Collector after following procedure and after examining the factual aspect of the matter.

I have considered the submissions of learned counsel for the petitioner.

This Court is not inclined to examine all factual aspect which prevailed while granting no-objection certificate to the respondent no.3. However, the respondents no.1 and 2, who are to decide that to whom license can be granted for establishing petrol pump or

outlet. There is no reason to believe that the respondents no.1 and 2 will not act fairly and not consider the claim of the petitioner while allotting the petrol pump.

The petitioner may approach to the competent authority with his claim who may decide the same and also feasibility to grant petrol pump either to petitioner or respondent no.3 in accordance with law in reasonable time preferably within two months, if possible.

With these observations, this writ petition is disposed of.

(PRAKASH TATIA), J.

S.Phophaliya